

11-04-04

ITW RCE  
3763

PTO/SB/30 (09/04)

Approved for use through 07/31/2006. OM 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/592,215
	Filing Date	June 12, 2000
	First Named Inventor	Brian H. SILVER <i>et al.</i>
	Group Art Unit	3763
	Examiner Name	Mark Han
	Attorney Docket Number	5297/133

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. **Submission required under 37 C.F.R. § 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply to FINAL Office Action mailed May 6, 2004.
- ii. ☐ Affidavit(s)/Declaration(s): \_\_\_\_\_
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other: \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other: \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 38 C.F.R. § 1.114 when the RCE is filed. (790 / 395)
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0930.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other: Any deficiencies in the enclosed fees
- b. ☒ Check in the amount of \$ 790.00 enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Michael H. Baniak / Steven B. Courtright	Reg. No.	30,608 / 40,966
Signature	<i>Steven B. Courtright</i>	Date	November 3, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

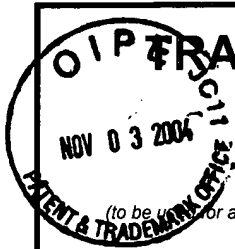
I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, under Express Label No. <u>EL 982 992 741 US</u> , on November 3, 2004.			
Name (Print/Type)	Michael H. Baniak / Steven B. Courtright		
Signature	<i>Steven B. Courtright</i>	Date	November 3, 2004

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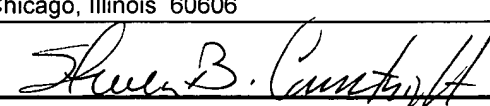
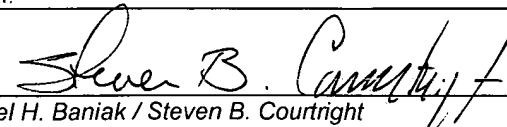
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Examiner		Mark K. Han

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Amendment / Response to Office Action mailed May 6, 2004. <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> PTO/SB/22 Extension of Time Request (+dup) + Ck \$980.00 <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449, art <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawings: <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Applicant claims small entity status. <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Post Card Receipt <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <input checked="" type="checkbox"/> PTO/SB/30 RCE (+dup) + Ck \$790.00 <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-0930</u> . A duplicate copy of this sheet is enclosed.		

### CALCULATION OF FEE

					Small Entity		Large Entity		
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	7	Minus	20	0	x \$9=	0		x \$18=	
Indep.	3	Minus	3	0	x \$44=	0		x \$88=	
First Presentation of Multiple Dep. Claim					+\$150=	---		+\$300=	
					total add'l fee	\$ 0		total add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Michael H. Baniak, Reg. No. 30,608 Steven B. Courtright, Reg. No. 40,966 BANIAK PINE & GANNON 150 N. Wacker Drive, Suite 1200 Chicago, Illinois 60606	
Signature		Date: November 3, 2004
CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, under Label No. EL 982 992 741 US on November 3, 2004.		
Signature	 Michael H. Baniak / Steven B. Courtright	Date: November 3, 2004